

AMENDED IN SENATE JANUARY 7, 2008

**SENATE BILL**

**No. 791**

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**Introduced by Senator Corbett**

February 23, 2007

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~~An act to add Section 104.20 to the Streets and Highways Code, relating to highways. An act to repeal Section 14529.15 of the Government Code, relating to transportation.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 791, as amended, Corbett. ~~State highway property: lease for community services purposes.~~*Transportation: state transportation improvement program.*

*Existing law provides for the planning and programming of transportation capital improvement projects through the state transportation improvement program.*

*Existing law requires the California Transportation Commission to make two reports to the Legislature assessing the success of provisions of SB 45 of the 1997–98 Regular Session, which substantially revised the state transportation improvement program process. Existing law declares the Legislature's intent that the 1998 State Transportation Improvement Program conform with the requirements of SB 45 and requires the commission to comply with all procedures and requirements of SB 45 in the preparation and adoption of state transportation improvement programs.*

*This bill would repeal those provisions requiring the commission to make reports to the Legislature regarding the success of provisions of SB 45, declaring the Legislature's intent relative to the 1998 State Transportation Improvement Program, and requiring the commission to comply with procedures and requirements of SB 45.*

~~Existing law provides that the Department of Transportation shall have full possession and control of all state highways and all associated property and rights in property acquired for state highway purposes. Existing law authorizes the department to lease certain properties for various community services purposes under various terms and conditions.~~

~~This bill would authorize the department to lease real property in the City of Hayward adjacent to State Highway Route 580 to a public entity for feeding program purposes, and would require the lease to be for an amount equal to 25% of the property's fair market value.~~

~~Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.~~

*The people of the State of California do enact as follows:*

- 1     ~~SECTION 1. Section 14529.15 of the Government Code is~~  
2     ~~repealed.~~  
3     ~~14529.15. (a) The commission shall make a report to the~~  
4     ~~Legislature on or before February 1, 1999, and on or before~~  
5     ~~February 1, 2001, assessing the relative success of the provisions~~  
6     ~~of Senate Bill 45, as enacted during the 1997-98 Regular Session,~~  
7     ~~in achieving the Legislature's intent for reform of the state~~  
8     ~~transportation improvement program, and assessing program~~  
9     ~~delivery, expenditure of funds at both regional and statewide levels,~~  
10    ~~and program performance.~~  
11    ~~(b) The Legislature intends that the 1998 State Transportation~~  
12    ~~Improvement Program conform with the requirements of Senate~~  
13    ~~Bill 45, as enacted during the 1997-98 Regular Session, to the~~  
14    ~~maximum degree feasible, taking into account the limited time~~  
15    ~~allowed between enactment of that bill and adoption of that~~  
16    ~~program. The commission shall comply fully with all procedures~~  
17    ~~and requirements of Senate Bill 45, as enacted during the 1997-98~~  
18    ~~Regular Session, in the preparation and adoption of the subsequent~~  
19    ~~state transportation improvement programs.~~  
20    ~~(c) The 1998 State Transportation Improvement Program shall~~  
21    ~~cover a period of six years as a transition into a four-year~~  
22    ~~programming period.~~  
23    ~~SECTION 1. Section 104.20 is added to the Streets and~~  
24    ~~Highways Code, to read:~~

1     ~~104.20. (a) Real property in the City of Hayward adjacent to~~  
2 ~~the ramps connecting Foothill Boulevard to State Highway Route~~  
3 ~~580 and bounded by Apple Street and Oak Street, which was~~  
4 ~~acquired for highway purposes and which is not excess property,~~  
5 ~~may be leased by the department to a city, county, or other political~~  
6 ~~subdivision or another state agency for feeding program purposes.~~  
7     ~~(b) The lease shall be for an amount equal to 25 percent of the~~  
8 ~~fair market value of the property.~~  
9     ~~(c) The Legislature finds and declares that the lease of real~~  
10 ~~property pursuant to this section serves a public purpose.~~